

Progressive Discipline Guidelines

Informal Disciplinary Actions: **VC**-Verbal Counseling **CM**-Counseling Memorandum **WR**-Written Reprimand

Formal Disciplinary Actions: **S**-Suspension **D**-Dismissal (*Other options- Demotion and Pay Decrease*)

Note: This list is not inclusive. Greater or lesser penalties than those indicated may be imposed based on particular circumstances involved as exemplified in #3 in the “Policy” section of the “Guidance and Discipline Progressive Discipline Policy.”

<u>Type</u>	<u>1st</u> <u>Occurrence</u>	<u>2nd</u> <u>Occurrence</u>	<u>3rd</u> <u>Occurrence</u>	<u>4th</u> <u>Occurrence</u>
1. Attendance: A habitual pattern of failure to report for duty at the assigned time and place or to remain on duty.				
a. Unexcused tardiness. (Totaling 1 hour or 4 incidents, whichever comes first, in a 3 month period.) This includes returning from breaks, meal periods and from official business away from the work station.)	VC-CM	WR-S (1 day)	WR-S (1-2 days)	S (3 days)-D
b. Unauthorized absence – Failure to report for work on a scheduled work day without proper approval or leaving work without proper authorization.	VC-CM	CM -S (1 day)	WR- S (1-2 days)	S (3 days)-D
c. Unauthorized absence: “ No call-No show. ”	CM-WR	WR-S (1 day)	S (1-3 days)-D	D
d. Five consecutive work days of “No call-No show” grounds for job abandonment. (Must document attempts to contact the employee.)				D
e. Excessive absenteeism. (Guideline-The combination of a 6% or greater overall absenteeism rate and 5 or more incidents per 12 week period.*)	CM-WR	WR-S (1 day)	S (1-3 days)-D	D
* Does not require a 12 week delay between each phase.				
2. Leave: Habitual or flagrantly improper use of leave privileges.				
a. Failure to follow established leave procedures.	VC-WR	WR-S (1 day)	S (1-3 days)-D	D
b. Fraudulent claims of sick leave.	WR-S (1 day)	S (1-3 days)- D	D	
c. Falsification of a medical statement.	S (1 day) - D	D		

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>
Type	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	
3. Sleeping on the job					
a. Posing no safety risk or security risk.	CM-WR	WR-S (1 day)	S (1-3 days)-D	D	
b. Potential safety risk or security breach.	WR-S (1-5 days)	S (3-5 days)-D	D		
c. Resulted in injury, destruction or theft of property or a security breach.	S (5-10 days)-D	D			
4. Work Relationships: Failure to maintain satisfactory and harmonious relationships with the public and fellow employees					
a. Rude, insulting, unmannerly or impolite acts or remarks (non-discriminatory.)	VC-S (1 day)	WR-S (1-5 days)	D		
b. Use of profane or obscene language.	CM-S (1-3 days)	WR- S (1-5 days)	S (5 days)-D	D	
c. Use of abusive, offensive or obscene language, gestures or similar conduct (non-discriminatory.)	WR-S(1 day)	S (1-5 days)-D	D		
d. Use of insulting, abusive, offensive or obscene language, gestures or similar conduct (discriminatory.)	S (1-5 days)	S (5-10 days)-D	D		
5. Discrimination: Prohibited discriminatory practice in any aspect of employment (recruitment, selection, advancement, performance appraisals, disciplinary actions, training, general treatment, etc.)	WR-S (1-5 days)	S (1-10 days)-D	D		
6. Disruption/Threats/Fighting					
a. Regular interruption to others which causes delays in completing work, is an annoyance or results in the employee being away from his/her work station a noticeable amount of time.	VC-CM	CM-WR	WR-S (1 day)	D	
b. Disrupting others by creating a scene or disturbance.	WR- S (1-3 days)	S (1-5 days)-D	D		
c. Threatening to inflict bodily harm.	WR-S (1-5 days)	S (5-10 days)-D	D		
d. Attempting to inflict bodily harm.	S (3-5 days)-D	D			
e. Hitting, pushing or other acts against another without causing injury or property destruction.	S (1-5 days)	S (5-10 days)-D	D		
f. Hitting, pushing or other acts against another causing injury or property destruction.	S (5-10 days)-D	D			
g. Fighting.	S (5-10 days)-D	D			
h. Premeditated injury to another.	D				

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>	
Type			1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
7. Inappropriate Material						
a. Displaying or possessing pictures or items of a sexual, pornographic or insensitive nature.			VC-D	D		
b. Accessing websites containing sexual, pornographic or insensitive material.			S (5-10 days)-D	D		
c. Using communication systems for sending materials of a sexual, pornographic or insensitive nature to others.			VC-D	D		
8. Sexual harassment arising out of, or in connection with, employment.						
a. Sexual harassment by non-supervisory or management staff.			VC-D	D		
b. Sexual harassment by supervisory or management staff.			S (5-10 days)-D	D		
c. Failure of supervisory or management staff to report allegations or incidents of sexual harassment.			VC-S (1-5 days)	S (5-14 days)-D	D	
9. Insubordination and related						
a. Insubordination: Refusal to accept a reasonable and proper assignment from an authorized supervisor (insubordination).			WR-S (1 day)	S (1-3 days)-D	D	
b. Failure to cooperate in an investigation or inquiry.			S (1-3 days)	S (3 -5 days)-D		
c. Deliberate neglect of duty.			VC-S (1 day)	WR-D	D	
10. Failure to comply with regulations, policies, procedures, regulations, and other instructions, etc. governing the work or agency.			VC-WR	WR-S (1-3 days)	S (1-5 days)-D	D
a. Failure to follow written and verbal safety policies, procedures or instructions not resulting in injury to persons or destruction of property.			WR-S (1-3 days)	S (1-5 days)-D	D	
b. Failure to follow written and verbal safety policies, procedures or instructions resulting in injury to persons and/or destruction of property.			WR-D	S (5-10 days)-D	D	

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>Other options- Demotion and Pay Decrease)</i>
Type	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	
11. Alcohol and drugs.					
a. Consuming alcohol or cereal malt beverage during paid/unpaid meal and mid-point breaks.	VC-S (1-3 days)	S (1-3 days)-D	D		
b. Consuming alcohol or a cereal malt beverage while on the job or on state property (unauthorized).	S (3-5 days)-D	D			
c. Being impaired or under the influence when reporting to work or while on duty. (i.e. slow or slurred speech, unsteady, difficulty understanding, belligerent, dilated or red eyes, etc.)	S (1-5 days)-D	D			
d. Smelling of alcohol or illegal substances.	CM-S (1-3 days)	S (1-5 days)-D	D		
e. Possession or use of illegal substances on government property or while in a duty status.	D				
f. Sale or distribution of illegal substances on government property or while in a duty status.	D				
12. Releasing confidential or sensitive information.					
a. Breach of confidential or sensitive information – unintentional.	VC-S (1 day)	WR-S (1-3 days)	S (5-10 days)-D	D	
b. Breach of confidential or sensitive information – intentional.	S (1-3 days)-D	D			
c. Breach of confidential or sensitive information causing significant consequences to the agency, persons or property.	S (3-10 days)-D	D			
13. Gross misconduct or conduct grossly unbecoming a state officer or employee					
a. Immoral conduct	S (1-10 days)-D	D			
b. Conviction of a criminal act	S (1-30 days)-D	D			
c. Using one's position for personal gain.	S (5-10 days)-D	D			
d. Accepting anything of value from a person seeking contracts or other business or financial gain.	VC-D	D			
e. Solicitation of anything of value from a person seeking contracts or other business or financial gain.	S (5-10 days)-D	D			
f. Willful interference with the operation of the agency.	S (1-10 days)-D	D			
14. Possession of unauthorized firearms or other lethal weapons while on the job.	D				

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>
Type	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence	
15. False Statements					
a. False or misleading statement of a material fact in an employee's application for employment or interview.	S (1-5 days)-D	D			
b. Deliberate misrepresentation, exaggeration, falsification, concealment or withholding of a material fact:					
• During the recruitment and selection process.	D				
• In the course of an investigation.	S (1-10 days)-D	D			
• In the course of performing one's assigned duties.	VC-D	WR-D			
c. Making false, malicious or unfounded statements against other staff which tend to damage the reputation or undermine the authority or effectiveness of those concerned.	WR-D	S (1-10 days)-D	D		
16. Improper use of government property. Using government property in duty status for other than official purposes.					
a. Minor Impact	VC-WR	CM-S (1 day)	S (1-3 days)-D	D	
b. Significant Impact	WR-D	S (3-10 days)-D	D		
17. False claims and willful abuse or misappropriation of government funds, time, material, property or equipment					
a. Falsification of a timesheet.	WR -D	S (1-5 days)-D	D		
b. Making false claims for travel and other work-related expenses.	S (1-5 days)-D	D			
c. Making false statements, misrepresentation or fraud in entitlements or benefits.	S (1-5 days)-D	D			
d. Conducting non-agency business for personal gain while on the job.	CM-D	S (1-10 days)-D	D		
e. Theft-attempted.	S (1-5) days-D	D			
f. Theft-actual	S (3-10 days)-D	D			
g. Embezzlement	D				
h. Willful damage to or destruction of government property	S (1-5 days)-D	D			

<i>VC-Verbal Counseling</i>	<i>CM-Counseling Memorandum</i>	<i>WR-Written Reprimand</i>	<i>S-Suspension</i>	<i>D-Dismissal</i>	<i>(Other options- Demotion and Pay Decrease)</i>
<u>Type</u>	<u>1st Occurrence</u>	<u>2nd Occurrence</u>	<u>3rd Occurrence</u>	<u>4th Occurrence</u>	
18. Trespassing on the property of any state official or employee for the purpose of harassing or forcing dialogue or discussion from the occupants or owners of such property.	VC-S (1-5 days)	S (5-10 days)-D	D		
19. Political: Use of the employee’s state positions, use of the employee’s time on the state job or use of government property or facilities by the employee in connection with a political campaign.	S (1-5 days)-D	S (5+10 days)-D	D		
20. Complaints/Inquires/Investigations.					
a. Interference with or attempting to influence, or attempting to alter testimony or information from witnesses or participants.	WR-D	D			
b. Attempting to impede an inquiry or investigation or to influence investigating officials.	WR-D	D			
c. Retaliation against any person as a result of reporting alleged misconduct or filing a complaint or grievance.	S (1-5 days)	D			
21. Exhibiting other personal conduct detrimental to government services which could cause undue disruption or work or endanger the safety of persons or property of others, as may be determined by the appointing authority.					
a. Carelessness or negligence not resulting in harm to a person or loss of government property.	VC-S (1 day)	CM-S (3-5 days)	S (3-5 days)-D	D	
b. Carelessness or negligence resulting in harm to a person or destruction of government property.	VC-S (1-3 days)	S (1-5 days)-D	D		
c. Horseplay or practical joking.	VC-WR	WR-S (1 day)	S (1-3 days)-D	D	
d. Horseplay or practical joking causing injury or property destruction.	WR-S (1-3 days)	S (1-5 days)-D	D		
e. Participating in any action that would in any way seriously disrupt or disturb the normal operation of the agency, institution, department or any other segment of government	CM-D	S (1-5 days)-D	D		
f. Willful misuse or misappropriation of the property of others.	WR-S (1-5 days)	S (1-5 days)-D			